



PATENT
5681-70900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Paul J. Garnett, Martin P. Mayhead,
Thomas E. Giles, and Ariel Hendel

Serial No. 10/653,030

Filed: August 29, 2003

For: Distributed Switch

Group Art Unit: 2835

Examiner: Unknown

Atty. Dkt. No. 5681-70900

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below:

B.Noel Kivlin
Registered Representative

Date _____ Signature _____

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant requests consideration of the references listed on the attached Form PTO-1449 and/or the additional information identified below in paragraph 3.

- Pursuant to CFR §1.98(a)(2)(i), copies of the cited U.S. patents and/or U.S. patent application publications are not enclosed.

A copy of each non-U.S. patent and/or non-U.S. patent application publication reference listed on the Form PTO-1449 is enclosed.

The non-U.S. patent and/or non-U.S. patent application publication references listed on the Form PTO-1449 were previously cited in application serial no. _____ to which the captioned application is seeking priority under 35 U.S.C. §120; therefore, a copy of each reference is not enclosed.

1. This Information Disclosure Statement is submitted:

- a. within 3 months of the filing date of a national application other than a continued prosecution application under § 1.53(d);
 within 3 months of the date of entry of the national stage as set forth in § 1.491 in an International application;

- before the mailing date of a first Office Action on the merits; or
 - before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
- b. after the events of above paragraph 1a and prior to the mailing date of a final Office Action or Notice of Allowance, and thus: the certification of paragraph 2 below is provided, or a fee of \$180.00 is enclosed.
- c. after the mailing date of a final Office Action or a Notice of Allowance and prior to payment of the issue fee, and thus: the certification of paragraph 2 below is provided and a fee of \$180.00 is enclosed.

2. It is hereby certified:

- that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or
 - that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in § 1.56 (c) more than three months prior to the filing of the Statement.
3. Consideration of the following additional information (including any co-pending or abandoned U.S. applications, prior uses and/or sales, etc.) is requested:

Pending Application Serial No. 10/774,755; Filed: February 9, 2004

4. For each non-English language reference listed on the attached Form PTO-1449:
- reference is made to an English language translation submitted herewith, and/or
 - reference is made to a foreign patent office search report (in the English language) submitted herewith, and/or
 - reference is made to an English language translation of a foreign patent office search report submitted herewith, and/or
 - reference is made to the concise explanation contained in the specification of the present application at page(s) _____, and/or
 - reference is made to the concise explanation set forth below:
5. Applicant also offers the following comments for the Examiner's consideration:

6. Also enclosed is a copy of a foreign search report citing these references.
7. The listed documents were brought to the attention of the Applicant(s) after payment of the issue fee in the captioned case. The documents were cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. Applicant(s) request this Information Disclosure Statement and attached Form PTO-1449 be placed in the file of the captioned application.
8. Applicant(s) requests that the Information Disclosure Statement and attached Form PTO-1449 and references, which are being filed before the grant of the patent and pursuant to 37 C.F.R. § 1.97(i), be placed in the file of the captioned application.

If any required fees are missing, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 50-1505/5681-70900/BNK.

Respectfully submitted,



B. Noel Kivlin
Reg. No. 33,929
Attorney for Applicant(s)

MEYERTONS, HOOD, KIVLIN,
KOWERT & GOETZEL, P.C.
P. O. Box 398
Austin, Texas 78767
(512) 853-8800
Date: 6-9-05

Form PTO-1449 (modified) List of Patents and Publications For Applicant's Information Disclosure Statement (Use several sheets if necessary)		ATTY. DKT. NO. 5681-70900 APPLICANT: Garnett, et al. FILING DATE: August 29, 2003	SERIAL NO. 10/653,030 GROUP: 2835
---	--	---	--

U.S. PATENT DOCUMENTS

EXAM. INITIALS	REF. DES.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A1	6,742,068	May 25, 2004	Gallagher, et al.			
	A2	6,654,252	November 25, 2003	Raynham			
	A3	6,583,989	June 24, 2003	Guyer, et al.			
	A4	6,594,150	July 15, 2003	Creason, et al.			
	A5	2002/0124114	September 5, 2002	Bottom, et al.			
	A6	2002/0120741	August 29, 2002	Webb, et al.			
	A7	2002/0107990	August 8, 2002	Johnson, et al.			
	A8	6,782,531	August 24, 2004	Young			
	A9	6,745,286	June 1, 2004	Staub, et al.			
	A10	6,721,794	April 13, 2004	Taylor, et al.			
	A11	6,560,606	May 6, 2003	Young			
	A12	6,556,438	April 29, 2003	Bologna, et al.			
	A13	6,505,254	January 7, 2003	Johnson, et al.			
	A14	6,452,809	September 17, 2002	Jackson, et al.			
	A15	6,247,078	June 12, 2001	Ebert, et al.			
	A16	5,655,120	August 5, 1997	Witte, et al.			
	A17	5,577,032	November 19, 1996	Sone, et al.			
	A18	2005-0047098	March 3, 2005	Garnett			
	A19	2003-0033360	February 13, 2003	Garnett			
	A20	2003-0105903	June 5, 2003	Garnett			

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the patent owner.